
Transportation Committee

HB 2714

Brief Description: Increasing safety for senior drivers.

Sponsors: Representatives Edwards, Mielke, Clibborn, Lovick, Flannigan, Chase, Jarrett, Cody, Haigh, Wood, Skinner, McIntire, Rockefeller and Kagi.

Brief Summary of Bill

- Requires mandatory reporting by licensed health care professionals of medical conditions that may impair a patient's ability to drive; and
- Requires senior drivers, beginning at age 75, to provide certification by a licensed health care provider indicating any health conditions that may compromise their ability to drive.

Hearing Date: 2/2/04

Staff: Jill Satran (786-7315).

Background:

There are currently approximately 4,440,000 licensed drivers in Washington state. Of those licensed drivers, approximately 242,000 (or 5.5 percent) are 75 years of age or older.

Currently, all licensed drivers are required to renew their license every five years. At the time of renewal, the driver is required to pay the \$25 renewal fee and pass a qualifying (or rather a requalifying) exam, to include a test of the applicant's eyesight and ability to see and understand highway signs and a knowledge and skills test. The Department of Licensing (Department) has the discretion to waive all or part of the renewal examination unless the Department determines the applicant may not be qualified to hold an unrestricted driver's license. In these latter cases, additional testing may be required.

Current statutes do not include any special provisions pertaining specifically to older drivers. If the Department has reason to believe that any person – regardless of age – has a physical or mental disability that may affect their ability to drive, the Department may require that individual to obtain a statement by his or her physician certifying the person's condition. And, the Department may evaluate the driver's ability to drive safely. Depending on the outcome of that evaluation the Department may place restrictions on the driver's license or may suspend or revoke the license entirely.

Summary of Bill:

Mandatory Reporting of Medical Conditions:

Physicians and other licensed health care professionals designated by the Department are required to report to the Department any patient, 13 years or older, who has a health condition that poses an imminent danger to the health or safety of the patient or anyone else.

The bill establishes a medical advisory board charged with the responsibility of determining, creating, and issuing a list of specific medical conditions that would merit a physician reporting a patient to the Department under the reporting requirement mentioned above. The health care provider, however, is not limited to reporting only conditions identified on the list.

Health care providers are given legal immunity from both failing to report a patient to the Department and for reporting a patient to the Department. The legal immunity applies to limiting the admissibility of either action as evidence of negligence in a civil action.

Senior Drivers:

Any licensed driver who is 75 years of age or older is considered a "senior driver." At the age of 75 and every two years after that, all senior drivers must certify with the Department their ability to safely operate a vehicle. The certification process is accomplished by obtaining a statement by a licensed health care provider indicating which of three categories the senior driver falls under:

1. The driver does not have any health conditions that compromise his or her ability to safely operate a vehicle;
2. The driver appears to have a developing health condition that may compromise their ability to safely operate a vehicle, and thus would merit further review by the Department to determine the appropriate licensing approach; or
3. The senior driver does have a health condition that will comprise their ability to safely operate a vehicle.

The driver license of a senior driver placed within category #1 will remain valid for another two years until the next certification form is due. If a senior driver is placed in either category #2 or #3, the Department must require the senior driver to appear in person for further review and testing.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on June 1, 2005.